

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

FILED
P. M. September 14, 2007
DAVID J. MALAND, CLERK
U.S. DISTRICT COURT
By [Signature]
DEPUTY

TGIP, INC.,

Plaintiff,

AT&T CORPORATION,

Defendant.

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Civil Action No. 2:06-CV-105

JUDGE RON CLARK

JURY VERDICT

QUESTION NO. 1:

Do you find by a preponderance of evidence that AT&T Corporation literally infringes any of the following claims of the patents? Answer "YES" or "NO" as to each claim.

Literal Infringement

` 768 patent

Claim 1 YES

Claim 11 YES

QUESTION NO. 2:

Do you find by a preponderance of evidence that AT&T Corporation infringes any of the following claims of the patents under the doctrine of equivalents? Answer "YES" or "NO" as to each claim.

Doctrine of Equivalents

` 114 patent

Claim 1 YES

Claim 6 YES

` 768 patent

Claim 1 YES

Claim 11 YES

If you answered "YES" to any claim in Question No. 1 or Question No. 2, then answer Question No. 3. Otherwise, do not answer Question No. 3, but proceed to Question No. 4.

QUESTION NO. 3:

Do you find by clear and convincing evidence that AT&T Corporation infringed that claim or claims willfully? Answer "YES" or "NO" as to each claim.

` 114 patent

Claim 1 YES

Claim 6 YES

` 768 patent

Claim 1 YES

Claim 11 YES

QUESTION NO. 4:

Do you find by clear and convincing evidence that any of the following claims of the patents are obvious? Answer "YES" or "NO" as to each claim.

` 114 patent

Claim 1 No

Claim 6 No

` 768 patent

Claim 1 No

Claim 11 No

If you answered "YES" to any claim in Question No. 1 and 2, and "NO" to that same claim in Question No. 4, then answer Question No. 5. Otherwise, do not answer Question No. 5, and go on to Question No. 6.

QUESTION NO. 5:

(A) For the period from March 17, 2000 through today, what sum of money, if any, do you find is adequate to compensate TGIP, Inc. in the form of a reasonable royalty for the conduct you found to infringe?

Answer in dollars and cents:

Answer: \$ 156,289,609

(B) What percentage of the amount listed in part (A) should be attributed to the period from March 1, 2005 through today?

Answer in a percentage from 1% to 100%. If neither claim 1 nor claim 6 of the ' 114 patent are infringed and valid, then your answer should be 100%.

Answer: 24 %

(C) What percentage of the amount listed in part (A) should be attributed to the period from March 17, 2006 through today?

Answer in a percentage of 1% or more. Your answer must be less than the percentage you gave in answer to part (B).

Answer: 12.4 %

QUESTION NO. 6:

Do you find by a preponderance of the evidence that:

(a) TGIP, Inc. delayed filing suit for an unreasonable and inexcusable length of time from the time it knew or reasonably should have known of its claim for infringement against AT&T Corporation, and

YES _____ NO ✓

(b) the delay caused material prejudice or injury to AT&T Corporation?

YES _____ NO ✓

QUESTION NO. 7:

Do you find by a preponderance of the evidence that:

(a) TGIP, Inc. misled AT&T Corporation to reasonably infer that TGIP did not intend to enforce its patents against AT&T Corp.?

YES _____ NO ✓

(b) AT&T Corporation relied on TGIP, Inc.'s misleading conduct?

YES _____ NO ✓

(c) AT&T Corporation was prejudiced in a significant way as a result of reliance on TGIP, Inc.'s misleading conduct?

YES _____ NO ✓

Date: Sep. 14.07

Initials of Foreperson: PX